



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE April 1, 2005	CONTACT/PHONE Andrea Miller 805-781-4171	APPLICANT Foster-Evans, David	FILE NO. COAL 04-0585 SUB2004-00178
SUBJECT Request by David Foster-Evens for a Lot Line Adjustment to adjust the lot lines between two (2) existing parcels of approximately 1,920 square feet and 28,877 square feet each. The adjustment will result in two (2) parcels of approximately 1,920 square feet and 28,877 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category and is located at 1764 Tierra Nueva Lane, Oceano. The site is in the San Luis Bay planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 04-0585 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED# 04-370) was issued on February 16, 2005			
LAND USE CATEGORY Residential, Single-Family	COMBINING DESIGNATION Airport Review	ASSESSOR PARCEL NUMBER 062-303-048	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: 22.106.070 – Oceano Urban Area Standards			
LAND USE ORDINANCE STANDARDS: 22.22.080 – Residential Single-Family and Multi-Family Categories			
EXISTING USES: Single-Family Residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single-Family/Single-Family Residence East: Residential Single-Family/Single-Family Residence South: Residential Single-Family/Single-Family Residence West: Residential Single-Family/Single-Family Residence			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Oceano Community Services District, Oceano/Halcyon Advisory Group, Community Liaison	
TOPOGRAPHY: Moderate Slopes approximately 10%	VEGETATION: Ornamental plants
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: OCSD	ACCEPTANCE DATE: December 23, 2004

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

EXISTING LOT SIZES (Square Feet)	ADJUSTED PARCEL SIZES (Square Feet)
1,920	1,920
28,877	28,877

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The subject site is a lot within a 27 unit residential development project approved in 1997 and is referred to as the Tierra Nueva co-housing project.

The proposed minor adjustment will result in the reconfiguration of two (2) parcels to better respond to existing topography, access and use. The adjustment will better address the existing configuration of the private yard. In addition, the adjustment will allow for the potential minor addition to the residence on the east side.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two lots were legally created by a recorded tract map number 2183.

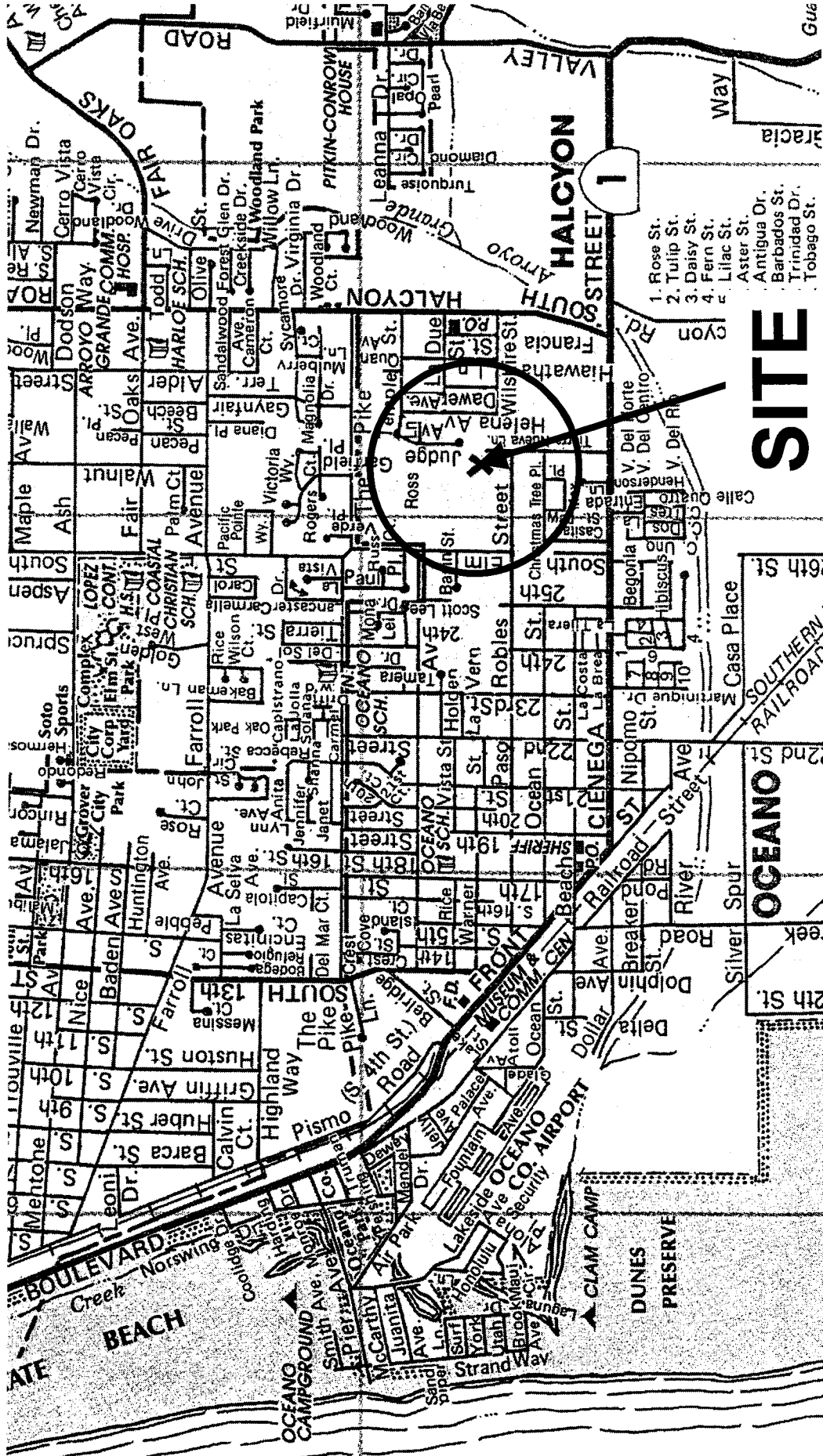
Staff report prepared by Andrea Miller and reviewed by Chuck Stevenson

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the new parcels resulting from the adjustment will maintain a position which is better than the existing situation relative to the county's zoning and building ordinances.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15303 because it is a lot line adjustment not resulting in the creation of any new parcels.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one-year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action



PROJECT

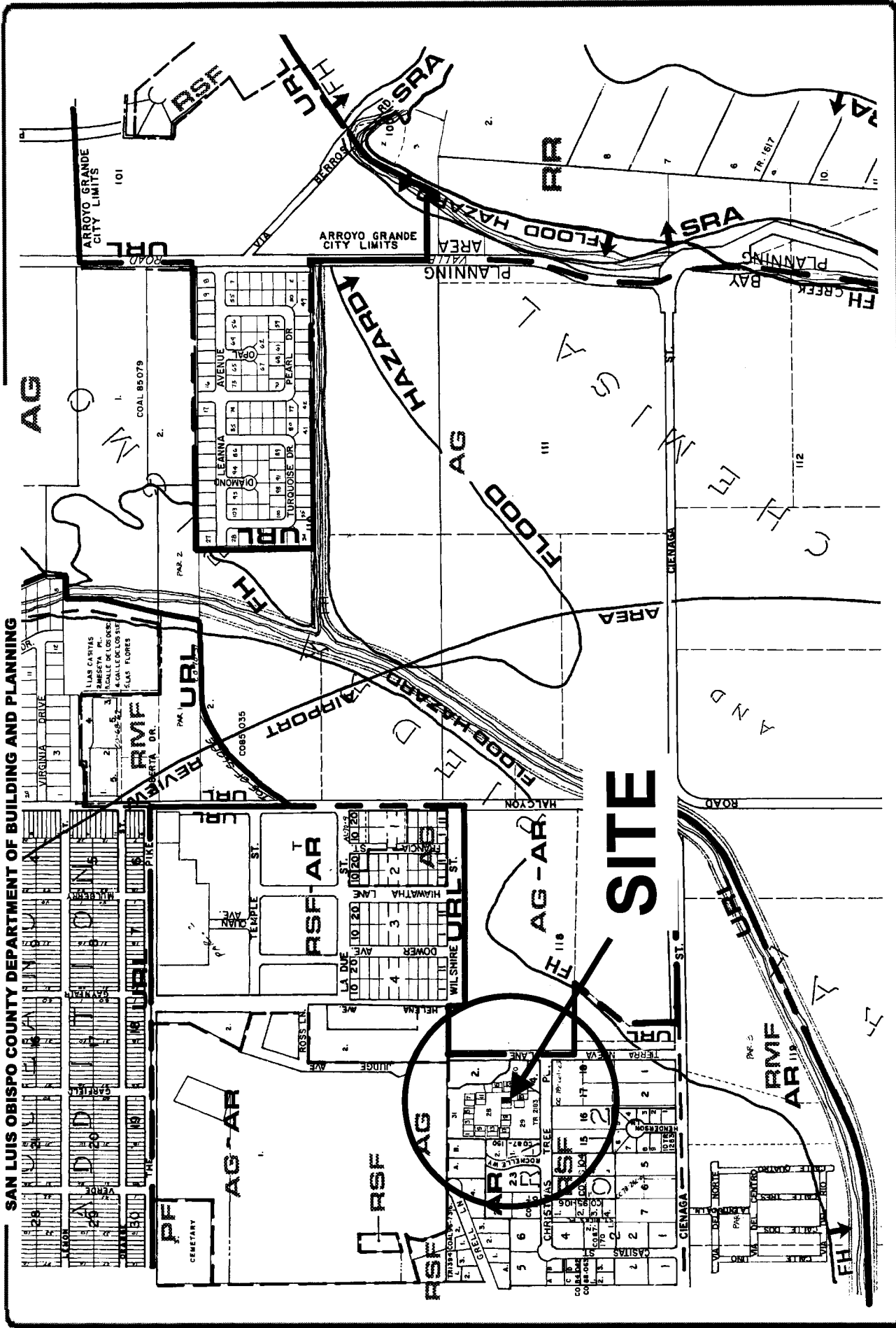
Lot Line Adjustment
Evans SUB2004-00178



EXHIBIT

Vicinity Map

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EXHIBIT

Land Use Category Map





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EXHIBIT

Aerial Photo

